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Response Under 37 CFR § 1.116
Expedited Procedure - Group 2626

In re Application of:

YOSHINOBU SHIRAIWA

Application No.: 09/062,552

Filed: April 20, 1998

For: IMAGE OUTPUT CONTROL APPARATUS

Mail Stop AF
THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.

03560.002135.

Examiner: M. Wallerson

Group Art Unit: 2626

Date: December 12, 2003

RECEIVED

DEC 19 2003

Technology Center 2600

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 14	MINUS	** 79	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	* 6	MINUS	*** 17	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$145°/\$290						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Charge \$_____ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- ☐ A check in the amount of \$_____ to cover the fee for a _____ month extension is enclosed.
- ☐ A check in the amount of \$_____ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Attorney for Applicant

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Response Under 37 CFR §1.116
Expedited Procedure - Group 2626

03560.002135.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

34
K Davis
1-6-04

In re Application of:

YOSHINOBU SHIRAIWA

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RESPONSE TO FINAL OFFICE ACTION

Sir:

This application has been carefully reviewed in light of the Office Action dated September 12, 2003. Claims 80 to 93 remain in the application, of which Claims 80, 86, 87, 88, 92 and 93 are independent. Reconsideration and further examination are respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

December 12, 2003

(Date of Deposit)

Chris D. Nguyen, Reg. No. 54,336

(Name of Attorney for Applicant)

December 12, 2003

Signature

Date of Signature

Claims 80 to 87 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,111, 659 (Murata) in view of U.S. Patent No. 5,862,297 (Timmermans). Claims 88 to 93 were rejected under 35 U.S.C. § 103(a) over Murata in view of U.S. Patent No. 6,243,171 (Haneda). The rejections are respectfully traversed.

Claims 80 to 87:

The present invention relates to image reproduction control involving access to a recording medium which stores a plurality of reproducible images and a reproduction instruction file. The reproduction instruction file is stored separately from the plurality of images and contains a list of file names specifying the images to be reproduced. The reproduction instruction file is read, and reproduction of the reproducible images is controlled by reading the images specified by the reproduction instruction file.

According to one feature of the invention, reproduction is not performed for a particular image specified by the reproduction instruction file if the particular image to be reproduced is not recorded on the recording medium. In this case, identification information of the particular image that was not reproduced is stored in a memory. If the next reproducible image specified by the reproduction file is recorded in the recording medium, that image is reproduced. In this way, the present invention is able to account for images that were specified in the reproduction instruction file but were not stored in the recording medium.

With specific reference to the claims, independent Claim 80 recites an image reproduction control apparatus comprising an accessing unit that accesses a

recording medium. The recording medium stores a plurality of reproducible images and a reproduction instruction file containing a plurality of file names specifying images to be reproduced. The reproduction instruction file is separate from the plurality of images. The image reproduction control apparatus further comprises a reading section that reads the reproduction instruction file stored in the recording medium and a reproduction control section that controls reproduction of the reproducible images by reading the images specified by the reproduction instruction file read by the reading section. Reproduction is not performed for a particular image specified by the reproduction instruction file if the particular image to be reproduced is not recorded in the recording medium. When reproduction is not performed for the particular image, identification information of the particular image is stored in a memory. If a next reproducible image is specified by the reproduction instruction file and the reproduction control section determines that the next reproducible image is recorded in the recording medium, the next reproducible image is reproduced.

Independent Claims 86 and 87 are method and computer-readable storage medium claims, respectively, that correspond generally to independent Claim 80.

The applied art is not seen to disclose or suggest the features of independent Claims 80, 86 and 87, and in particular, is not seen to disclose or suggest at least the feature that reproduction is not performed for a particular image specified by the reproduction instruction file if the particular image to be reproduced is not recorded in the recording medium, and that when reproduction is not performed for the particular image, identification information of the particular image is stored in a memory.

Murata relates to a digital copier with image scanner apparatus and offline image data and control data interface. Murata discloses that a memory card storing a print job command file and an image data file is inserted into PC card slot 89. CPU 85 detects through PC card controller 88 that the memory card is inserted (column 8, lines 52-55). If the print job command file exists, CPU 85 analyzes the print job command file and performs setting required for the control circuits of the laser printer part and the sorter part (column 8, lines 58-60). However, as conceded by the Office Action on page 3, Murata does not disclose that reproduction is not performed for a particular image if that image is not recorded on the recording medium, and that when reproduction is not performed for the particular image, identification information of the particular image is stored in a memory.

The Office Action contends that Timmermans discloses a photographic printing system wherein if picture parameter data stored on a disk is incorrect, information is stored about the desired changes of the picture parameter data (column 10, lines 36-56). The Office Action takes the position that this disclosure in Timmermans corresponds to the present invention's feature that when reproduction is not performed for the particular image, identification information of the particular image is stored in a memory. Applicant respectfully disagrees.

The present invention stores, in a memory, identification information of a particular image in the case that the particular image is not found in the recording medium, but has been specified by a reproduction information file. Timmermans, on the other hand, teaches that information about desired changes of picture parameter data can be stored if the picture parameter data is incorrect. Timmermans makes no suggestion of storing

identification information of a particular image, muchless storing identification information of a particular image in the case that the particular image is specified by a reproduction instruction file but is not found in the recording medium.

As such, Murata and Timmermans are not seen to disclose or suggest the feature that reproduction is not performed for a particular image specified by the reproduction instruction file if the particular image to be reproduced is not recorded in the recording medium, and that when reproduction is not performed for the particular image, identification information of the particular image is stored in a memory.

Accordingly, based on the foregoing amendments and remarks, independent Claims 80, 86 and 87 are believed to be allowable over the applied references.

Claims 88 to 93:

The present invention also relates to recording control for controlling recording of images in a recording medium. The recording medium stores a plurality of reproducible images and a reproduction instruction file which is separate from the plurality of images. The reproduction instruction file contains instruction information including a plurality of file names specifying images to be reproduced. The present invention indicates deletion of an image that has been accessed, and controls deletion of instruction information in the reproduction instruction file corresponding to the image that has been indicated to be deleted. In this way, if an image is manually accessed and indicated to be deleted, the corresponding instruction information in the reproduction instruction file is also deleted.

With specific reference to the claims, independent Claim 88 recites a recording control apparatus for controlling recording of images in a recording medium. The recording control apparatus includes a recording medium accessing unit that can access the recording medium. The recording medium stores a plurality of reproducible images and a reproduction instruction file containing instruction information, including a plurality of file names specifying images to be reproduced. The reproduction instruction file is separate from the plurality of images. The recording control apparatus comprises an indication section for indicating deletion of an image accessed by the accessing unit, and a control section for controlling deletion of the instruction information in the reproduction instruction file corresponding to the image indicated by the indication section to be deleted if the instruction information corresponding to the image is stored in the reproduction instruction file. The recording medium accessing unit accesses the recording medium in accordance with a manual operation, the recording medium being accessed so as to specify an image to be reproduced.

Independent Claims 92 and 93 are method and computer-readable storage medium claims, respectively, that correspond generally to independent Claim 88.

The applied art is not seen to disclose or suggest the features of independent Claims 88, 92 and 93, and in particular, is not seen to disclose or suggest at least the feature of indicating deletion of an accessed image and controlling deletion of the instruction information in the reproduction instruction file corresponding to the image indicated to be deleted.

Murata discloses that is preferable for a digital copying machine to comprise means for erasing output control data and image data stored in the storage medium after printing the image data (column 3, lines 36-44). The Office Action contends that this disclosure corresponds to the indication and control section of Claim 88. Applicant respectfully disagrees.

Murata discloses erasing output control data and image data after printing. Murata does not mention that an accessed image can be indicated as one to be deleted. Furthermore, Murata makes no mention of controlling deletion of the instruction information in the reproduction instruction file corresponding to the image indicated to be deleted. Murata simply discloses that output control data and image data can be erased after printing in order to save storage capacity (column 3, lines 36-44).

As such, Murata is not seen to disclose or suggest the feature of indicating deletion of an accessed image and controlling deletion of the instruction information in the reproduction instruction file corresponding to the image indicated to be deleted.

The remaining art applied against the claims, namely Haneda, is not seen to supply what is missing from Murata. Accordingly, based on the foregoing amendments and remarks, independent Claims 88, 92 and 93 are believed to be allowable over the applied references.

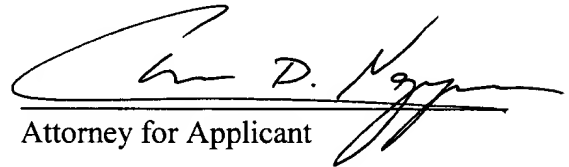
The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the

invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Attorney for Applicant

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